

1 occasion when the process you've just described occurred?

2 A No. This would be a, a routine thing that I would  
3 do.

4 Q Mrs. Duff, at the time Trinity Broadcasting of  
5 Ciskei was formed, were you a director of TBN?

6 A I believe I was.

7 Q Mrs. Duff, turn, if you would, to Bureau Exhibit  
8 273. And that's in Volume Five. Do you have that?

9 A Yes.

10 Q Take a moment -- a minute to look through the three  
11 pages of that exhibit. Have you, have you done that,  
12 Mrs. Duff?

13 JUDGE CHACHKIN: What exhibit, Mr. Topel?

14 BY MR. TOPEL:

15 Q This is Mass Media Bureau Exhibit 273. Okay, I just  
16 want -- I just want to get you reoriented to what you were  
17 examined about on your direct examination. Are you ready?

18 A Yes.

19 Q Page one of that exhibit is a memorandum on which  
20 you are shown of receiving a copy. Do you recall, did you  
21 receive a copy of that memorandum?

22 A Yes, I did.

23 Q Can you tell me, did -- before you received the,  
24 this memorandum, had you interviewed Mr. Fountain?

25 A Yes, I, I had talked to, to Mark, you know, quite a

1 while before this. In fact, he expressed an interest in going  
2 to the station almost as soon as he knew that there was going  
3 to be a station in Portland, because he wanted to move to  
4 Portland. And so I was aware that he wanted to be considered  
5 for the position and, yes, I, I talked to him quite a while  
6 before this memo was issued.

7 Q Had, had you made a decision who would be the chief  
8 engineer in Portland before you received this memo?

9 A Basically, yes. I, I knew Mark was the -- he had  
10 the best -- well, he had wonderful qualifications and, yes, I,  
11 I had definitely made a decision.

12 Q Did this memorandum stating that he was planning to  
13 move to Portland by a, a date indicated come as a surprise to  
14 you in any way?

15 A No. The only thing is I wasn't aware of what date  
16 he had planned to go. I think what he had planned to do is to  
17 go ahead of time and find an apartment, so that's why he made  
18 the, the specific -- he indicated the date that he was going  
19 to be leaving.

20 Q Now turn, turning to the second page of that exhibit  
21 then, can you explain to me why, in light of what you just  
22 said about the process by which Mr. Fountain was hired, the  
23 filled position report states date applied, August 14, 1989.

24 A I just asked him to, for the record, to fill out an  
25 application for me, which he hadn't done prior to that.

1 Q Mrs. Duff, you, you testified about conversations  
2 you had with Mr. May at the time the decision was made for  
3 Translator TV to proceed to acquire the Odessa station.

4 A Yes.

5 Q Do you have a specific recollection of when it was  
6 that Mr. May advised you that Translator TV or NMTV should  
7 hold separate annual meetings?

8 A Probably '87, around the time that, that we were,  
9 that we filed the application. '87 kind of sticks in my mind.

10 Q But, but how specific is your recollection as to  
11 when that conversation occurred with reference to the signing  
12 of the contract? Whether it occurred before or after.

13 A I don't have a specific recollection. I can't say  
14 exactly what date it was.

15 Q Or with reference to the filing of the application,  
16 do you have a spec -- specific recollection of your  
17 conversation either before or after that?

18 A No.

19 Q Your Honor, may I have one minute off the record.

20 JUDGE CHACHKIN: Well, we're going to recess for the  
21 day, so.

22 MR. TOPEL: I, I think I'll be finished within five  
23 or ten minutes tomorrow morning.

24 JUDGE CHACHKIN: All right. We'll recess till  
25 tomorrow morning at 9:30.

1 MR. TOPEL: Thank you, Your Honor.

2 (Whereupon a recess was taken until December 14,  
3 1993, at 9:30 a.m.)

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**CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER**

IN THE MATTER OF TRINITY BROADCASTING OF FLORIDA, INC.

**Name** AND GLENDALE BROADCASTING COMPANY

MM DOCKET NO. 93-75

**Docket No.**

WASHINGTON, D.C.

**Place**

DECEMBER 13, 1993

**Date**

We, the undersigned, do hereby certify that the foregoing pages, numbers 2111 through 2262, inclusive, are the true, accurate and complete transcript prepared from the reporting by BARBARA J. LORD in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

December 21, 1993

**Date**

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December 23, 1993

**Date**

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